

**OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
Northern District of California**

CIVIL MINUTES

Date: June 21, 2023

Time: 33 minutes

Judge: NATHANAEL M.
COUSINS

Case No.: 20-cv-09340-NC

Case Name: Ariel Abittan v. Lily Chao

Attorneys for Plaintiff: Constantine Economides, Brianna Pierce

Attorneys for Defendants: Patrick O'Shaughnessy, Jingjing Ye

Non-party Hansen Law Firm: Craig Hansen

Deputy Clerk: Lili Harrell

Zoom webinar: 11:57am – 12:30pm

PROCEEDINGS

Hearing re Joint Discovery Letter Brief [193] and Further Case Management Conference.

Re: Dkt. No. [193]. For the reasons stated, Defendants' objection to document subpoenas to law firms SUSTAINED and the Court quashed the 5 subpoenas served plus drafted subpoenas to law firms that have yet to be served. Plaintiff ordered to provide notice of this ruling to each of the subpoena recipients within 24 hours. The basis of the order is that the subpoenas violated FRCP 45(d)(1) in that requesting party and attorneys did not take reasonable steps to avoid imposing undue burden and expense; the subpoenas are massively overly broad. The Court did not reach crime-fraud arguments asserted by Plaintiff. Plaintiff ordered to seek Court approval before serving any further third-party subpoenas in this case. No fees or costs awarded at present, but subpoena recipients may assert reimbursement of expenses.

As to case management, the Court encouraged counsel to meet and confer and to file joint update and proposed order on 3 issues by 6/28: (1) protective order; (2) case schedule; and (3) Plaintiff's request to amend pleadings. Further CMC set 7/5/23, at 10:30 am by zoom. Case schedule remains in place.